

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 23-cr-290 (JWB/TNL)

Plaintiff,

v.

ORDER

James Edward Hollman, Jr.,

Defendant.

This matter comes before the Court on Defendant James Edward Hollman, Jr.’s Motion for Extension of Time to File Pretrial Motions, ECF No. 26. Defendant also filed a Motion to Exclude Time Under the Speedy Trial Act, ECF No. 27, and Statement of Facts in Support of Exclusion of Time Under the Speedy Trial Act (“Statement of Facts”), ECF No. 28.

Defendant requests a four-week extension of the motions filing date (October 12, 2023) and motions hearing date (November 17, 2023). ECF No. 26. Defendant states that discovery was provided to Defendant on October 4, 2023, and that he and his counsel need additional time to review and discuss his options. *Id*; *see also* ECF No. 27 at 1. The Government does not oppose Defendant’s request. ECF No. 26. In his Statement of Facts, Defendant requests that the period of time from October 12, 2023 until November 9, 2023 be excluded from computation under the Speedy Trial Act. ECF No. 28; *see also* ECF No. 27.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial, and such continuance is necessary to provide the parties and their counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Extension of Time to File Pretrial Motions, ECF No. 26, is **GRANTED**.

2. Defendant's Motion to Exclude Time Under the Speedy Trial Act, ECF No. 27, is **GRANTED**.

3. The period of time from **the date of this Order through November 9, 2023**, shall be excluded from Speedy Trial Act computations in this case.

4. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **November 9, 2023**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

5. **Counsel shall electronically file a letter on or before November 9, 2023, if no motions will be filed and there is no need for a hearing.**

6. All responses to motions shall be filed by **November 27, 2023**. D. Minn. LR 12.1(c)(2).

7. Any Notice of Intent to Call Witnesses shall be filed by **November 27, 2023**. D. Minn. LR 12.1(c)(3)(A).

8. Any Responsive Notice of Intent to Call Witnesses shall be filed by **November 30, 2023**. D. Minn. LR 12.1(c)(3)(B).

9. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant pleads particularized matters for which an evidentiary hearing is necessary;
or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

10. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **December 7, 2023, at 1:30 p.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

11. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT, the following trial and trial-related dates are:**

Counsel should submit two hard copies of trial briefs, voir dire, proposed jury instructions, exhibit and witness lists, and trial-related motions (including motions in limine) to District Judge Jerry W. Blackwell's chambers on or before ***a date to be determined***. In addition, counsel should email the proposed jury instructions and exhibit and witness lists to: blackwell_chambers@mnd.uscourts.gov.

Judge Blackwell will hold a final pretrial on *a date to be determined* in **Courtroom 3C**, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

This case must commence trial on *a date to be determined* before District Judge Blackwell in **Courtroom 3C**, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Blackwell to confirm the new trial date.**

Dated: October 17, 2023

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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